UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

_____

UNITED STATES OF AMERICA,

v.

OMAR MARRERO,

         Defendant.

_____

21-CR-142-LJV-JJM
DECISION & ORDER

1.   On July 18, 2024, the defendant, Omar Marrero, admitted charge number 1 of the petition for offender under supervision filed December 12, 2023, charging that Marrero violated the condition of his supervised release stating that he must not commit another federal, state, or local crime. Docket Item 28.

2.   On July 18, 2024, the Honorable Jeremiah J. McCarthy, United States Magistrate Judge, filed a Report & Recommendation recommending that the defendant's admission be accepted and that the defendant be adjudged as having violated the condition detailed in charge number 1 of the petition. Docket Item 41.

3.   This Court has not received objections to the Report and Recommendation in accordance with Title 28, United States Code, Section 636(b)(1), and Rule 59(b) of the Federal Rules of Criminal Procedure, and the time to object now has expired.

4.   This Court has carefully reviewed *de novo* Judge McCarthy's Report & Recommendation (Docket Item 41), the plea agreement (Docket Item 39), the violation petition (Docket Item 28), a transcript of the plea proceedings (Docket Item 42), and the applicable law. This Court finds no legal or factual error in Judge McCarthy's

Report & Recommendation and therefore adopts Judge McCarthy's recommendation that the defendant's admission be accepted and that the defendant be adjudged as having violated the condition detailed in charge number 1 of the petition.

IT IS HEREBY ORDERED that this Court adopts Judge McCarthy's July 18, 2024 Report & Recommendation, Docket Item 41, in their entirety, including the authorities cited and the reasons given therein, and it is further

ORDERED that the Court accepts the defendant's admission and the defendant, Omar Marrero, is now adjudged as having violated the condition detailed in charge number 1 of the petition.

         SO ORDERED.

Dated: December 23, 2024
              Buffalo, New York

                                   _____
                                   LAWRENCE J. VILARDO
                                   UNITED STATES DISTRICT JUDGE